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Finance, Ways and Means Committee Secretary Harry Tindell and Majority Leader Kim McMillan, both members of the Budget Subcommittee, talk briefly before last week's meeting. Several committees scheduled presentations on key issues and heard updates from directors of departments and agencies.

Agriculture

Matt Barnes

The **Agriculture Committee** held its first meeting of the 2004 session on Tuesday, January 20, 2004. The committee had no bills on calendar but heard from Thomas A. Rymsza, president of Vision Paper Company, based in Albuquerque, New Mexico. Representative Bowers introduced Mr. Rymsza; they have been collaborating with representatives of the University of Tennessee and Tennessee Valley Authority for the past four years to bring a Vision Paper mill to West Tennessee.

Mr. Rymsza spoke to the committee about kenaf, a fiber plant related to cotton and

okra. Mr. Rymsza said the U.S. Department of Agriculture studied 500 plants in the 1960s and determined kenaf to be the most viable plant to replace trees as the primary source for pulp and, ultimately, paper. He claimed kenaf is both good for the environment and for economic development.

The parties have chosen as the site for the kenaf mill the Milan Arsenal property in Milan, Tennessee, located 80 miles northeast of Memphis. Once the engineering is completed, the mill will take approximately three years to build. The company plans to hire 87 employees, 19 of those being salaried and 68 full-time.

Children & Family Affairs

Shannon Romain

Full Committee

The **Children and Family Affairs Committee** held its first meeting of the legislative session Tuesday afternoon, January 20th. The committee had no bills on the calendar, however, it convened to hear testimony from Dr. Patrick Stern, an East Tennessee pediatric physician, who discussed problems in the relationship between the East Tennessee medical community and the Department of Children's Services. Dr. Stern fielded questions from members and made recommendations on improving services provided by both the medical community and the department.

The **Domestic Relations and Family Justice Subcommittees** did not convene.

Commerce

Matt Barnes

Neither the **full committee** nor its **three subcommittees** (Utilities and Banking, Industrial Impact, and Small Business) met this week.

Conservation & Environment

Greg E. Adkins

Full Committee

The **full Conservation and Environment Committee** met on Tuesday, January 20, 2004, but did not have any bills on the calendar. The committee listened to Will Callaway, Executive Director of the Tennessee Environmental Council, who presented the results of two surveys that were created by the University of Tennessee--(1) a poll of Tennesseans regarding air and water quality regulations and (2) an analysis of state spending relative to need in Tennessee regarding natural resources, parks, and recreation.

Conservation & Wildlife Subcommittee

The **Conservation and Wildlife Subcommittee** met on Tuesday, January 20, 2004, and passed **HB 1479** by Rep. Fitzhugh. The bill authorizes the Tennessee Wildlife

Resources Commission (TWRA) to raise hunting and fishing license fees administratively instead of raising fees by a legislative fee bill. The bill also authorizes TWRA to promulgate rules and regulations for the fees. The fees are prohibited from rising above the consumer price index from 1990. The bill also requires any fee increases to be reported to the legislature, and the Government Operations Committee must approve the fees.

Consumer & Employee Affairs

Shannon Romain

Full Committee

The **Consumer and Employee Affairs full committee** held its first meeting Wednesday, January 21st, with one bill on the calendar. **HB 1611** (Rep. Odom), was referred to Calendar and Rules. The bill passed out of the **Employee Affairs Subcommittee** last session and was held in the full committee until Wednesday. As amended, the bill permits an employee to choose from an employer-designated group of three or more reputable physicians or surgeons from the same community and who are not in association with one another. In cases involving a back injury, a chiropractor must be added to the group. To prevent excessive over-billing, the legislation limits an employer's liability to charges which are similar to those billed by other doctors for similar treatment within the community where the employee resides, and not for treatments in excess of the proscribed amounts.

Furthermore, the legislation limits an employee to twelve visits for each approved back injury. The provisions relating to back injuries do not apply to state or local government employees or to workers' compensation self-insurer pools and will sunset on June 30, 2005.

Following all business relating to the calendar, Commissioner Jim Neeley of the Department of Labor and Workforce Development reported to the committee on the status of the department.

Employee Affairs Subcommittee

The **Consumer Affairs Subcommittee** has not been called to order, however, the **Employee Affairs Subcommittee** met on Tuesday with one bill on the calendar. **HB 1941** (Rep. Newton), as amended, was referred to the full committee by a unanimous vote. The bill codifies a recent Tennessee Supreme Court ruling

clarifying the difference between unemployment claims benefits for temporary partial disability claims calculated using employees' "weekly wages", versus claims calculated using an employee's "average weekly wages". Under the current law, claims are calculated on weekly wages. However, the court determined that compensation should be based on the average weekly wage. In addition to codifying case law, passage of the legislation could mean more money for injured employees. The amendment makes the bill.

Education

Pam Mason

Full Committee

The **House Education Committee** held its first meeting of 2004 on Wednesday, January 21. No legislation was scheduled for consideration. Chairman Winningham opened the meeting by welcoming everyone back to work and introducing the staff. He then encouraged each member to place any legislation on notice to begin the process.

Dr. Douglas Wood gave a presentation on the importance of early childhood education and the need for it to be part of the lottery package. He believes that providing this level of education to Tennessee children is the most important thing that could be done for the children and the state. He gave the following figures for current investment of Tennessee dollars.

\$5,000	per student
\$18,000	per inmate
\$25,000	per inmate in a high security facility

Dr. Wood then updated the Committee on studies by the Board on unifying the state grading policies. This issue became a subject of concern last year as the Legislature studied qualifications for Lottery scholarships. He gave examples of South Carolina and Virginia's present system. He stressed that any new policy will initially be complex and must be phased into operation. The Board is continuing to study this issue.

The Committee next heard a presentation from a Knoxville area group concerning the inclusion of Technical Path students in the Tennessee HOPE

Scholarship program. Business leaders and educators presented their desire for this change in the state law.

The **Education Subcommittees** did not meet this week.

Finance, Ways & Means

Denise Sims

Budget Subcommittee

The **Budget Subcommittee** met on Wednesday, January 14th with nine (9) bills on calendar. All bills were rolled either two weeks or a month. HB 0168 (Rep. Fraley) was taken off notice.

Budget Sub did not meet this week (January 21st).



***Chairman Fitzhugh
Budget Subcommittee***

Full Committee

The full **Finance, Ways & Means Committee** met on Tuesday, January 20th, and heard presentations from Comptroller John Morgan and Commissioner Dave Goetz, Department of Finance and Administration. Comptroller Morgan reported findings from the State Funding Board's meetings in early December where revenue growth and the state's near-term economic outlook for FY '03-'04 and FY '04-'05 were discussed. Commissioner Goetz commented on revenue figures and fielded questions from committee members.

Government Operations

Kristina Ryan

The **House Government Operations Committee** had no bills on notice and did not meet.

Health & Human Resources

Judy Narramore

The Full Committee

The **Health & Human Resources Committee** held its first meeting of 2004 on Tuesday, January 20, 2004. Chairman Armstrong welcomed returning committee members and introduced two new members -- Rep. Beverly Marrero and Rep. Mike Turner. Two presentations were scheduled on the calendar. Copies of handouts from these presentations are available in Chairman Armstrong's office.

Dr. Toni Bounds, Director of the Office of Cancer Surveillance, TDH, gave an update on Tennessee's Cancer Program. The Office of Cancer Surveillance has three distinct areas of responsibility: Cancer Registry, Comprehensive Cancer Control Program, and Cancer Inquiry Program.

Margaret Rose, Senior Legislative Research Analyst with the Comptroller's Office, presented a Comptroller Report on *Serving the Aging and Disabled: Progress and Issues*. Ms. Rose reviewed audit findings and recommendations from the Report, including legislative changes to merge functions of various agencies serving the elderly and increase funding for home- and community-based services.

Professional Occupations Subcommittee

The **Professional Occupations Subcommittee** had two bills on notice for its first meeting of 2004 on Wednesday morning, January 21, 2004. Both bills had been rolled from the subcommittee's final calendar of 2003. The subcommittee adopted an amendment to **HB 0294** by Rep. J. DeBerry and then rolled the bill two weeks. The amendment, brought by the sponsor, rewrites the bill to allow dental hygienists to administer local anesthesia under supervision. Rep. McCord rolled **HB 1906** two weeks. At the request of Rep. Bowers, Chairman Odom distributed an amendment to **HB 2232** concerning qualifications for surgical technologists. Members were asked to review the proposed amendment prior to the next subcommittee meeting.

Health Care Facilities Subcommittee

The **Health Care Facilities Subcommittee** held its first meeting of 2004 at noon on Wednesday, January 21,

2004, with one presentation on the calendar. Katy Gammon, Director of Health Care Facilities, TDH, gave an overview of new data related to regulation of licensed health care facilities. Additionally, Chairman Armstrong and Chairman Overbey gave remarks on nursing home sprinkler systems.

Mental Health and Public Health Subcommittees

These subcommittees did not have bills on notice and did not meet.

Judiciary

Paige Edwards

Criminal Procedure & Practice Subcommittee

On Tuesday, the **Criminal Procedure & Practice Subcommittee** reconvened to consider HB 4 by Representative Newton and HB 1811 by Representative Rinks. Both bills were rolled.

Civil Procedure & Practice Subcommittee

On Wednesday, the **Civil Procedure & Practice Subcommittee** reconvened to consider nine bills. HB 780 by Representative Patton, HB 868 by Representative Davis, HB 1073 by Representative Godsey, HB 1184 by Representative Vincent, HB 1789 by Representative Briley, and HB 1797 by Representative Overbey were taken off notice. HB 986 by Representative Overbey, HB 1057 by Representative McCord, and HB 1962 by Representative Garrett were rolled for four weeks.

Full Committee

The **Full Judiciary Committee** reconvened last week to hear testimony related to pre-trial release programs. HB 1371 by Representative Russell Johnson adds criteria that would establish eligibility to release an individual under a pre-trial release program. Last week, Andy Wise, from Channel 3 News in Memphis, presented a taped program that described the mismanagement of the pre-trial release program in Shelby County. This week, the committee heard testimony from Judge Steve Dozier, Division I Criminal Court for Davidson County. Judge Dozier answered questions related to the Davidson County pre-trial release program.

Following the testimony, the committee considered seven bills. HB 866 by Representative Brooks (Shelby), HB 1138 by Representative Briley, and HB 1654 by Representative Briley were taken off notice. HB 1147 by Representative John DeBerry and HB 1834 by Representative Bunch were rolled for two weeks. HB 1757 by Representative Maddox was rolled for consideration on February 25.

Chairman Fowlkes designated a committee to consider revisions for HB 605 by Representative John DeBerry. At this time, this bill contains a fiscal note and conflicting constitutional issues. Representative Newton shall serve as chair of this committee. Also, Representative DuBois, Representative Cochran, and Representative Fowlkes are appointed on this committee.

In summary, HB 605 requires a blood alcohol test to be administered if the law enforcement officer has probable cause to believe that the driver, involved in a traffic accident, has committed a DUI, vehicular assault, vehicular homicide; or aggravated vehicular homicide. Such test would be performed with or without the driver's consent. Furthermore, the results of the test would be admissible in evidence in any court or administrative hearing. HB 605 was rolled for three weeks.

State & Local Government

Lawrence Hall, Jr.

The **State and Local Government** full committee met briefly this week. Chairman Jones informed the members that representatives of the lottery corporation would make a presentation to the committee next week regarding the corporation's progress.

Transportation

Greg E. Adkins

Full Committee

The **full Transportation Committee** met on Wednesday, January 21, 2004, but did not consider any legislation. Commissioner Gerald Nicely presented both the Wayfinding Highway Directional Sign Program and the Statewide Long-Range Transportation Plan. The Wayfinding program was directed by Public Chapter 382 and develops guidelines for municipal tourism/wayfinding information signage programs. The signs are prohibited on controlled access freeways (state or federal). The Long Range Transportation program is being conducted by PBS&J and will include a 3, 10, and 25-year plan for Tennessee's transportation needs. The plan will include freight models, highway network models, an airport system plan, bicycle/pedestrian plan, and transit benefits studies.

Public Transportation & Highway Subcommittee

The **Public Transportation & Highways Subcommittee** met on Wednesday, January 21, 2004 and passed **HB 1838** by Rep Bunch. The bill authorizes the issuance of "Supporters of the Traditional Music Center" new specialty earmarked license plates.